

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Patent Application**

Applicant(s): M.K. Brown et al.  
Case: 19-26  
Serial No.: 09/620,495  
Filing Date: July 20, 2000  
Group: 2157  
Examiner: Ramy M. Osman

Title: Content Interpolating Web Proxy Server

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REPLY BRIEF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The remarks which follow are submitted in response to the Examiner's Answer dated December 14, 2006 in the above-identified application. The arguments presented by Appellants in the corresponding Appeal Brief are hereby incorporated by reference herein.

In the Answer at pages 11-18, the Examiner responds to various arguments raised by Appellants in the Appeal Brief. The Examiner organizes his response into Points 1 through 16, which Appellants will address individually below.

Point 1

Appellants argued at pages 7-9 of the Appeal Brief with regard to independent claim 1 that McCauley fails to teach or suggest a number of limitations of that claim. More specifically, Appellants argued that McCauley fails to teach or suggest a server that retrieves both web content and one or more augmentation files, where the server parses the retrieved web content into one or

more component structures, and subsequently applies a pattern matching process to recognize designated component structure subject to alteration in accordance with the one or more augmentation files. Appellants also argued that McCauley fails to teach or suggest the recited pattern matching process that comprises comparing a given one of the component structures of the retrieved web content to predetermined component structures represented by respective tokens in the one or more augmentation files.

The Examiner responds by arguing that the operations associated with the page renderers and pane renderers disclosed in McCauley meet the limitations in question, relying on column 4, lines 33-50, column 8, lines 6-20, column 8, line 60, to column 9, line 15, and column 9, lines 50-65. However, McCauley in FIG. 5 and column 9, lines 4-22, indicates that a page renderer is selected based on characteristics of the client, and is then automatically executed to generate an instruction sequence that is delivered to the client. The page renderer is a preexisting program that fully specifies the manner in which the information page is to be altered for presentation on a particular client device. See McCauley at column 6, lines 35-43. Thus, there is no need whatsoever in McCauley for pattern matching and associated comparison operations of the type recited in the claim at issue.

The Examiner further argues that McCauley in column 8, lines 8-15, and column 9, lines 55-65, shows an example of “matching HTML characteristics of a client” to “HTML characteristics of a pane renderer.” However, even if one assumes for purposes of argument that this is a correct interpretation of McCauley, it fails to meet the limitations in question. As noted above, the recited server parses retrieved web content into one or more component structures, and subsequently applies a pattern matching process to recognize designated component structure subject to alteration in accordance with the one or more augmentation files, where the pattern matching process comprises comparing a given one of the component structures of the retrieved web content to predetermined component structures represented by respective tokens in the one or more augmentation files. Thus, in the claimed invention, the comparison in the pattern matching process is between component structures of the retrieved web content and component structures of the augmentation files. The above-noted matching of HTML characteristics of a client to HTML characteristics of a pane renderer therefore fails to teach or suggest the claimed pattern matching arrangement. It is believed

that the attempt by the Examiner to equate the recited pattern matching with “comparing HTML capabilities” in McCauley ignores explicit limitations of the claim.

#### Point 2

Appellants are not arguing separate patentability of dependent claims 2 and 3. Thus, the argument provided at page 9 of the Appeal Brief is not improper in any way. Each of these dependent claims includes the limitations of independent claim 1, and is therefore believed allowable for the reasons that claim 1 is believed allowable.

#### Point 3

Appellants are not arguing separate patentability of independent claims 18 and 19. Thus, the argument provided at page 9 of the Appeal Brief is not improper in any way. Each of these independent claims includes limitations similar to those of independent claim 1, and is therefore believed allowable for substantially the same reasons that claim 1 is believed allowable.

#### Point 4

The Examiner now argues that the limitation in question is met by the teachings in McCauley at column 4, lines 62-65. However, this portion of McCauley deals with operations that occur on a client device. The Examiner apparently believes that McCauley shows storage of web content and augmentation files on a client device, and thus remote from the server 12. However, if the augmentation files are met by the page renderers and pane renderers of McCauley as alleged by the Examiner, those renderers are clearly not stored on the client device. Instead, the server 12 uses those renderers to generate an instruction sequence that is sent to the client device by the server. See steps 116 and 118 of FIG. 5 in McCauley. Thus, it appears the Examiner is ignoring explicit recitations of the claim. Accordingly, Appellants again submit that the limitations of claim 4 are not anticipated by McCauley.

#### Point 5

The Examiner argues that the page and pane renderers of McCauley meet the recited patch file, relying now on column 6, lines 35-53, and column 7, lines 5-16. However, the page and pane renderers are described in the relied-upon portions as being configured “to emit instructions.” Appellants respectfully submit that those skilled in the art will recognize that the term “patch” implies a type of replacement. See the specification at, for example, page 6, lines 7-20. The page and pane renderers of McCauley do not appear to perform such replacement, and are therefore not patch files as recited. The interpretation proffered by the Examiner basically reads the word “patch” out of the claim.

#### Point 6

The Examiner argues that McCauley at column 5, lines 1-15, meets the limitations of dependent claim 7. However, the claim explicitly calls for the server to determine client type using one of a number of very particular types of recited information, and McCauley fails to anticipate such arrangements. Appellants note that the rejection of claim 7 is on anticipation grounds, rather than obviousness grounds, and it is believed the relied-upon portions of McCauley fail to rise to the level of anticipation of dependent claim 7.

#### Point 7

The Examiner argues that Appellants have somehow provided an improper argument. Appellants respectfully disagree. The Appellants argue at page 11 of the Appeal Brief that the limitations of dependent claim 9 are not met by the particular portions of the McCauley reference explicitly relied upon by the Examiner in formulating the rejection. The argument is believed to be proper, and Appellants respectfully stand by said argument.

#### Point 8

The Examiner argues that the limitations of dependent claim 12 are met by the teachings in column 3, lines 54-55, of McCauley. This portion of McCauley simply indicates that there are multiple client devices 14, which is readily apparent from FIG. 1. However, the claim at issue

specifies that a particular client request, namely, the received client request of claim 1, is associated with a plurality of different client devices. There is no teaching in the relied-upon portion of McCauley which discloses such a limitation. To the contrary, a single such received client request in McCauley appears to be associated with only a single one of the client devices 14. There is apparently no association whatsoever between a given single received client request in McCauley and multiple ones of the client devices 14. Again, the interpretation proffered by the Examiner fails to give proper consideration to explicit recitations from the claim, and is therefore believed to be improper.

#### Point 9

The Examiner appears to argue that a virtual client device as recited in claim 13 is met by a given personal computer in McCauley. However, this interpretation fails to give any patentable weight whatsoever to the term “virtual,” which those skilled in the art will recognize as meaning something other than physical. Accordingly, based on common knowledge and understanding of the term “virtual,” it is believed that the physical client device identified by the Examiner, namely, the personal computer of McCauley, fails to anticipate the recited virtual client device. Again, the interpretation proffered by the Examiner appears to be based on ignoring an explicit claim recitation. Such an approach is believed to be improper.

#### Point 10

The arguments provided with regard to claim 13 above are also applicable to claim 14, which includes similar limitations relating to a virtual client device. The Examiner is interpreting the claim as if it recited simply a client device, rather than a virtual client device. As noted above, this interpretation is believed to be improper.

#### Point 11

The Examiner argues that McCauley anticipates the recited default augmentation file of independent claim 16, relying on column 11, lines 61-64. However, this portion of McCauley relates to a “simplified case” in which there is only one menu pane renderer. Since there is only one

menu pane renderer in this case, Appellants believe it is improper to refer to such a renderer as a default renderer. The term “default” generally connotes the presence of some selectability of an alternative, and hence the absence of such selectability in the portion of McCauley relied upon by the Examiner would tend to indicate that a default renderer is not present.

#### Point 12

The Examiner again relies on the teachings in column 11, lines 61-64, of McCauley. However, as noted above, the term default generally implies some selectability. For example, a default may be selected for use only under certain conditions when otherwise selectable options are for some reason not selected. Claim 17 specifically recites that a default augmentation file is used if a corresponding client request is determined to have no externally-retrievable augmentation files associated therewith. In the relied-upon portion of McCauley, there is no such default or associated selectability, in that the “simplified case” at issue there permits only a single menu pane renderer, regardless of any other system conditions. It is apparently not possible to modify this condition in any way, without altering the relied-upon “simplified case.” Accordingly, Appellants submit that the recited default augmentation file and its associated usage as set forth in claim 17 is not met by the relied-upon portion of McCauley.

#### Point 13

The Examiner argues that Appellants have made an improper argument. However, Appellants have clearly recited that they are relying on the general pattern matching limitations of claim 1, which are present in claims 6 and 20, to establish patentability of the latter claims. The Tso reference cited by the Examiner fails to supplement the fundamental deficiencies of McCauley as applied to the pattern matching limitations.

#### Point 14

The Examiner argues that the collective teachings of McCauley and Tso meet the limitations of dependent claim 15, relying on the transcoding server 34 of FIG. 3 in Tso as allegedly meeting the recited “server external to the at least one server.” However, the claim specifies that this

external server has at least a portion of the web content associated therewith, and further that an augmentation file is retrievable therefrom. The collective teachings of McCauley and Tso fail to provide a server that meets these limitations. Moreover, the Examiner argues that the augmentation file retrievability limitation “is open-ended and does not suggest retrievability by whom.” Appellants believe that this is an incorrect reading of the limitation. Claim 15 calls for retrievability of at least one of the augmentation files, where the augmentation files referred to are previously identified in claim 14 as being retrieved by “the at least one server.” There is no teaching, suggestion or other motivation which would lead one to modify the server 12 of McCauley and the transcoding server 34 of Tso to meet the limitations in question.

#### Point 15

Appellants had argued that the collective teachings of McCauley and Li fail to meet the limitations of dependent claim 10. The Examiner relies on an arrangement in Li in which “a client profile” is used “to choose a transcoding operation to be applied.” However, the recited context element of claim 10 is part of a pattern matching expression, which is utilized by a pattern matching process that compares component structure of retrieved web content to predetermined component structures represented by respective tokens in one or more augmentation files. The relied-upon arrangement in Li has nothing to do with pattern matching of the type recited in the claim. The client profile simply lists the capabilities and resources of the client device, and content is adapted based on the client profile. See Li at column 6, lines 3-4 and 42-44. It is difficult to imagine how one skilled in the art would be motivated to adapt an entirely unrelated client profile to a particular context element of a pattern matching expression in a pattern matching process that compares component structure of retrieved web content to component structures in augmentation files. Accordingly, Appellants submit that the limitations of claim 10 are not obvious in view of the proposed combination of McCauley and Li.

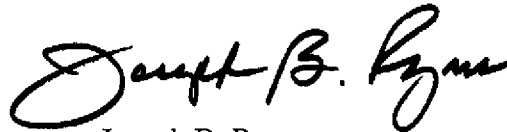
#### Point 16

The Examiner relies primarily on the InfoPyramid structure described in column 5, lines 1-10, and column 6, lines 43-48, of Li, as allegedly meeting the limitations of dependent claim 11.

However, the Examiner fails to recognize that the precedence element and context element referred to in this claim are further recited as being part of a pattern matching expression, which is utilized by a pattern matching process that compares component structure of retrieved web content to predetermined component structures represented by respective tokens in one or more augmentation files. The InfoPyramid structure of Li is not utilized in a pattern matching process of the type at issue in the claim. To the contrary, as noted above, Li simply utilizes the client profile to determine which parts of the InfoPyramid structure will be used to adapt content. See Li at column 6, lines 42-44. Accordingly, it is believed that the collective teachings of McCauley and Li fail to meet the limitations of claim 11.

For the reasons identified above and in their Appeal Brief, Appellants respectfully submit that claims 1-7 and 8-20 are in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph B. Ryan". The signature is fluid and cursive, with the first name "Joseph" and last name "Ryan" clearly distinguishable.

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